

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO VENUE

Defendant.

REQUEST, STIPULATION AND ORDER

2. The parties agree that the time between July 26, 2006 and August 16, 2006 should be excluded from the Speedy Trial clock. Previously, the Court has declared this case complex. See 18 U.S.C. section 3161(h)(8)(B)(ii). Further, defense counsel is investigating the immigration consequences of a plea. That matter needs a short amount of time to be resolved, and thus the parties agree that a continuance is necessary for the effective preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. section 3161(h)(8)(B)(iv). The parties also

1 agree the ends of justice are served by excluding the period from July 26, 2006 to August 16, 2006
2 outweigh the interest of the public an the defendant in a Speedy Trial. See id. section 3161(h)(8)(A0.
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4 STIPULATED:
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6 DATED : July 21, 2006

/S/ Michael Gaines

7 MICHAEL GAINES, Attorney for Sang Hung Park
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9 DATED : July 21, 2006

/S/ Peter Axelrod

10 PETER AXELROD

11 Assistant United States Attorney
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13 ORDER

14 _____ For good cause shown, and for the reasons stated above, the Court (a) vacates the July 26,
15 2006, hearing date for defendant Sang Hung Park based on the anticipated plea agreement, (b) sets
16 the matter for a change of plea on August 16, 2006 at 2:15 p.m., and (c) excludes time under the
17 Speedy Trial Act, 18 U.S.C. section 3161 from July 26, 2006 to August 16, 2006. The Court finds
18 that the failure to grant the requested exclusion would deny defense counsel reasonable time
19 necessary for effective preparation taking into account the exercise of due diligence, Further, the
20 Court finds the exclusion warranted on complexity grounds, under 18 U.S.C. section
21 3161(h)(8)(B)(ii). Thus, the Court finds that the ends of justice served by granting the requested
22 exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the
23 prompt disposition of criminal cases. The Court therefore concludes that this exclusion of time

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1 should be made under 18 U.S.C. sections 3161(h)(8)(A), (h)(8)(B)(ii) and (h)(8)(B)(iv).

2 IT IS SO ORDERED.

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4 DATED : July 25, 2006

